

THE ASSEMBLY COMMITTEE ON AGING AND LONG-TERM CARE
RULES AND PROCEDURES FOR 2017-2018

Assemblymember Ash Kalra, Chair

I. SETTING OF BILLS

1(a). Bills referred to the Assembly Committee on Aging and Long-Term Care (the “Committee”) shall be set for hearing by the Chair at a time most convenient to the Committee. To the extent practicable, bills relating to the same subject matter shall be set on the same day.

1(b). When a bill is referred to the Committee, the Committee Secretary shall forward to the author’s office a Background Information Request (BIR) Worksheet to be completed to assist in the preparation of the Committee analysis. The Chair may withhold the setting of a bill for hearing until the Committee BIR is completed and returned to the Committee as specified in Section II.

No bill may be heard or acted upon until it has been in print for 30 days after its introduction.

1(c). A bill may be set for hearing in the Committee only three (3) times. If a bill is either not heard at the request of the author at the hearing for which it was set or is not heard in order to permit the preparation of amendments, the set shall be deemed an author’s set.

1(d). For purposes of these Rules:

(1) A bill is “set” whenever notice of the hearing has been published in the Assembly Daily File for at least four days, unless such notice is waived by a majority vote of the Assembly.

(2) If a bill has been set for hearing and the author or the Committee decides not to take up the bill at that time, members of the public who have traveled to Sacramento shall be permitted to testify on the bill.

(3) An “author’s set” is any set which is counted as one of the three times a bill may be set. If a hearing as set in the File specifically indicates “testimony only”, such hearing shall not be counted as one of the three times a bill may be set.

1(e). If a bill is to be presented by someone other than the author, it may be taken up at the end of the grouping of like subject matter after all authors (including those temporarily “passed over” and committee members) have been accommodated. Anyone other than the author who is to present the bill must have an authorizing letter from the author.

1(f). If an author is not present when his or her bill is called, the measure will be passed temporarily.

1(g). Members having bills pending before the committee are responsible for informing the Sergeant-at-Arms of their whereabouts so that they can be called for a timely appearance.

1(h). The policies set forth in Section 1 shall not apply to any measure that has been set as a special order of business.

1(i). The Committee shall act upon bills referred to it as soon as practicable. Each bill that is voted out of the Committee shall be reported back to the Assembly within twenty-four (24) hours, except those waiting for amendments. The Chair is charged with the observance of this rule.

II. BACKGROUND INFORMATION REQUEST WORKSHEETS

2(a). All Committee BIR worksheets shall be returned to the Committee no later than five legislative days after delivery to the author's office and at least seven legislative days prior to the scheduled hearing of the bill. The author's office must return three copies of the completed worksheet along with any supporting materials.

2(b). The Chair may refuse to hear a bill, even though it has been set, if the author fails to promptly return a completed BIR worksheet. Such a set shall be deemed an author's set.

2(c). BIR worksheets and associated supplementary materials shall be copied and forwarded to designated staff of the Vice Chair by the Committee Secretary.

III. AMENDING BILLS

3(a). Author's amendments in Legislative Counsel form must be submitted to the Committee no later than noon seven calendar days prior to the hearing at which the bill has been set. All author's amendments shall be submitted to the Committee **(the original signed plus nine (9) copies)** in Legislative Counsel form by the appropriate deadlines. If amendments are submitted after the deadline, the chair may reschedule the bill hearing and the "set" will count against the author's limit of three sets.

3(b). Absent extraordinary circumstances, if an author offers substantive amendments to his or her bill later than seven legislative days prior to the Committee hearing at which it is set, the bill may not be heard and may be deemed an author's set.

3(c). The Chair shall have sole discretion, after consulting with the Vice Chair, in ruling on whether or not an amendment is "substantive" within the meaning of this section.

3(d). All amendments accepted during a Committee hearing are "Committee Amendments," whether or not requested by the author. Preparation and writing of Committee amendments shall be the responsibility of the Committee staff.

3(e). A bill may not be amended to add an urgency clause in Committee unless the author of the amendment has secured prior approval of the Assembly Rules Committee. Adoption of urgency clause amendments requires a vote by the Committee and cannot be done through "author's amendments" prior to the Committee hearing.

IV. COMMITTEE ANALYSES

4(a). Committee analyses of bills set for hearing shall be made available to the public at least one legislative day prior to the day of the Committee hearing. In the case of special hearings, the analyses need not be made available one day prior to the hearing, but shall be made available to the public at the time of the hearing or prior to any testimony being taken.

For purposes of this section, a “special hearing” shall be any hearing of a bill for which notice of the hearing was not published in the file at least four days prior to the hearing or a hearing on a general subject area.

4(b). Committee staff may indicate on the analysis of a bill the position of any organization, institution, or elected official that submits a position letter to the Committee. Only letters that clearly indicate “support” or “opposition” on the version of the bill that will be heard, without condition or qualification, shall be noted on the analysis. A copy of any letter received that meets these criteria shall be transmitted to the designated staff of the Vice Chair within 24 hours.

Support and opposition letters not received by 12:00 pm on the Tuesday prior to the hearing are not assured of being reflected in the Committee analysis. Letters must be signed and on official letterhead if submitted on behalf of an organization or association. Letters from private citizens are not required to be printed on letterhead. Faxed letters will be accepted pursuant to the requirements stated above. Electronic versions of the letters that meet these requirements may be accepted at the discretion of the committee.

4(c). A copy of the analysis shall be sent to the bill’s author prior to its general distribution to the public.

4(d). The designated staff of the Vice Chair shall have unrestricted access during normal business hours to the official committee file on any bill referred to the committee.

V. MEETING AND QUORUM

5(a). The Chair shall promptly call all meetings to order at the time and place designated in the Assembly Daily File. In the absence of a quorum, the committee may operate as a subcommittee. The subcommittee may receive testimony, and recommend action on a bill to the majority of the Committee; however, no votes may be taken as a subcommittee.

5(b). No Committee member shall participate, by voting or any other action, in the enactment or defeat of legislation in which he or she has a personal interest. Whenever one or more Committee members are disqualified from taking any action on a bill pursuant to the Joint Rules, it shall not reduce the votes required to take action on a bill. A member shall advise the Chairperson of the disqualification at the beginning of the hearing.

5(c). In the absence of the Chair or when the Chair is presenting a bill, the Vice Chair shall preside. In the absence of both the Chair and the Vice Chair, another member designated by the Chair shall preside.

VI. ORDER OF AGENDA

6(a). Bills set for hearing shall be heard in numerical order, or at the discretion of the Chair. Exception shall be made for bills placed on the Committee's Consent Calendar.

6(b). Bills of the Committee Members shall be taken up after all other authors present have taken up their measures.

6(c). When the Chair finds that another order of business is more expedient, measures may be taken up out of order or set as a special order of business.

6(d). If an author is not present when his or her bill is called, the measure will be passed over temporarily.

6(e). Only a Member of the Legislature or a member of the author's staff may present a bill for the author. An authorization letter from the author must be submitted to the Committee to notify the Chair of the change, and approved by the Chair.

VII. CONSENT CALENDAR

7(a). The Chair may recommend bills for consideration on the consent calendar. A bill is eligible for the consent calendar if there is no written opposition, and no prior "No" votes.

7(b). Notwithstanding Rule 6(a), the Chair may take up the consent calendar at any convenient opportunity. Any member of the Committee may remove a bill from the consent calendar. If a bill is removed from the consent calendar, a sergeant will call the author's office and the bill will be taken in the order specified in Rules 6(a) and (b).

VIII. VOTING

8(a). A majority (**four (4) members**) of the entire Committee constitutes a quorum. A quorum is necessary to take action on a bill, or to report bills with amendments. A simple majority of those present and voting is sufficient to adopt Committee amendments, provided that a quorum is present.

8(b). A recorded roll call vote shall be taken on all of the following actions of the Committee:

- (1) Actions which constitute the Committee's final action on a bill, constitutional amendment or resolution;
- (2) Committee amendments taken up in Committee, whether adopted or not;
- (3) Motions to reconsider Committee actions;
- (4) Recommendations to the Assembly Floor relating to executive reorganization plans; and,
- (5) Amendments which add an urgency clause.

8(c). When a bill is amended and the amended version is not in print, the Committee may act on the bill only if it is determined that the effect of the amendment can readily be understood by the Committee and the audience.

8(d). A roll call vote on a previous bill may be substituted by unanimous consent, provided the members whose votes are substituted are present at the time of the substitution.

8(e). Prior to announcement of the vote, upon the request of the author or any member of the Committee, the Chair shall announce that the bill subject to a vote will be placed on-call for a period of time not to exceed the adjournment of the committee meeting. Absent extraordinary circumstances, a vote on a bill which is on-call shall not be permitted when testimony is being taken. The Chair shall announce the time or times when the roll shall be opened and any vote on a bill which is on-call may be cast. All calls shall be lifted prior to making an adjournment motion.

8(f). The vote shall be announced upon conclusion of the roll call vote, absent a request to place a bill on-call.

8(g). A recorded roll call vote is not required on the following actions by the Committee:

- (1) A motion to hold a bill “under submission” or other procedural motion which does not have the effect of finally disposing of the bill.
- (2) An author’s request to withdraw a bill from the Committee calendar.
- (3) The removal of an item from the consent calendar.
- (4) The return of a bill to the Assembly where the bill has not been voted upon by the Committee.
- (5) Author’s amendments to a bill.

8(h). Any member having to leave the Committee for any reason shall advise the Chair where the member can be reached.

8(i). After the final vote on a motion is announced, any member may change or add a vote before adjournment of the hearing unless the change or addition would alter the announced outcome of the vote.

IX. RECONSIDERATION

9(a). Reconsideration may be granted only one time.

9(b). A motion to reconsider can be made only under the following circumstances:

- (1) At the same meeting at which the bill is defeated and the author is present; or,

(2) Within fifteen (15) legislative days of the meeting at which the bill was defeated prior to the interim study joint recess, whichever occurs first, in which case the same file notice is required as for setting a bill.

9(c). Authors seeking reconsideration shall notify the Committee Secretary in writing in order that the notice of reconsideration may be published in the file.

9(d). If reconsideration is granted, the Committee may vote on the bill immediately if the author is present or may postpone the vote until the next regular hearing. In the case of a defeated bill, if the motion for reconsideration or the vote on the bill after the granting of reconsideration fails, the bill shall be immediately returned to the Chief Clerk.

9(e). Unless specifically authorized by the Chair, no additional testimony may be permitted on a bill that has been granted reconsideration.

9(f). Reconsideration may be granted by unanimous consent or a majority vote of the committee.

X. COMMITTEE BILLS

10(a). The Committee may introduce a bill germane to any subject within the proper consideration of the Committee in the same manner as any member. A Committee bill must contain the signatures of a majority of all the members of the Committee, including the Chair.

10(b). The Committee, at the discretion of the Chair, will seek to consolidate related subject matter into a single legislative proposal whenever appropriate.

XI. TESTIMONY

11(a). Consideration of a bill at a hearing of the Committee shall begin with the opening statement by the author. The opening statement shall be followed by testimony in support of the bill, and then any testimony in opposition. Following all testimony from the public, the author shall be provided an opportunity to make a closing statement. Members of the Committee, upon recognition by the Chair, may interrupt the statements or testimony at any time to ask a question of the author or a witness.

XII. PILOT PROJECTS

12(a). It is recommended that any bill which proposes the creation of a pilot project shall contain the following specific requirements:

(1) A statement of purpose of the proposed pilot project which specifically states the goals or objectives and the length of time of the project.

(2) Precise cost projections and methods by which savings, if any, may be calculated.

- (3) A definitive mechanism by which the value and success, if any, of the project may be quantified. This mechanism shall include specific numerical objectives that must be met or exceeded, if a project is to be judged successful, and a suggested time line.

XIII. INTERIM STUDY RECOMMENDATION

13(a). The Committee may refer the subject matter of any bill to the Rules Committee for study. The Committee may, however, subsequently reconsider and act on the bill.

XIV. DECORUM AND CONDUCT OF COMMITTEE BUSINESS

14(a). In addition to any other duties prescribed by these rules, the Standing Rules of the Assembly and the Joint Rules of the Senate and Assembly, the Chair shall:

- (1) Expedite all business of the Committee in an orderly and efficient manner.
- (2) Set bills as early as practicable to facilitate the efficient and timely review of all bills assigned to the Committee.
- (3) Maintain decorum at all Committee hearings by directing the Assembly sergeants to, among other things, keep all aisles in the Committee room clear, direct the audience and witnesses to be seated, and reduce disruptive noise and conversation.
- (4) Not preside during consideration of a bill which he or she is the author.

14(b). No smoking shall be permitted in the Committee hearing room.

XV. ADMINISTRATIVE REGULATIONS

15(a). The Chair may direct the Committee staff to review any proposed administrative rules and regulations which are contained in the California Regulatory Notice Register and which pertain to agencies and programs within the scope of the Committee's jurisdiction.

The staff shall review each such rule or regulation for conformity with the enabling statute and with legislative intent. Rules or regulations which do not appear to be based on statutory authority or which do not appear to be consistent with legislative intent may be placed on the Committee's agenda for appropriate action, including the request of a priority review by the Office of Administrative Law pursuant to Government Code Section 11340.15.

###